

REMARKS

By the present amendment, claims 1-11 and 22-29 have been amended and remain in the present application. Reconsideration and allowance of claims 1-11 and 22-29 remaining in the present application are respectfully requested.

The Examiner has rejected claims 1-11 and 22-29 under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,999,152 to Liao, et al (hereinafter, "Liao"). Applicant respectfully submits that amended claims 1-11 and 22-29 are patentably distinguishable over Liao, for the reasons that follow.

Liao is directed to an electro-optic display providing a gray scale by utilizing voltage dependent birefringence. A voltage provided to metal pad "d" in Figure 1 of Liao is controlled through the gate voltage at "c" and the bit line voltage at source "b" of a MOS transistor. Each such MOS transistor and its corresponding metal pad "d" corresponds to a pixel. Based on the voltage provided to metal pad "d," the polarization of light passing through liquid crystal molecules "i" in Figure 2 of Liao is controlled such that light can be reflected back to the light source or be reflected to a viewer's eyes. See Figures 3 and 4 of Liao and column 5, lines 14 to 45 of Liao. Liao is not directed to utilization and control of a tunable interlayer dielectric having a matrix including a tunable material capable of being "tuned to" a UV transparent or opaque state, as disclosed and claimed by the present invention.

Thus, Liao does not disclose or suggest accommodation of erasing stored charges in a gate layer, such as a gate layer of a flash memory transistor, when the matrix

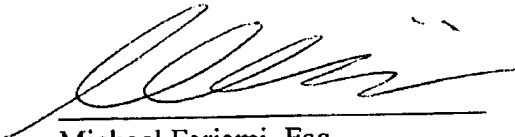
comprising tunable material is turned into a UV transparent state. See, for example, Figure 1A and page 11, lines 16-19, discussing step 408 of flow chart 400 in the present application. Nor does Liao disclose or suggest blocking damage to devices needing protection from UV radiation, when the matrix comprising tunable material is turned into a UV opaque state. See, for example, Figure 1B and page 12, lines 3-6, discussing step 410 of flow chart 400 in the present application. Thus, the claimed invention is patentably distinguishable over Liao. As such, an early notice of allowance directed to claims 1-11 and 22-29 remaining in the present application is respectfully requested.

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Respectfully Submitted,
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